

#13148
3/6/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the application of: Ira Herman, et al.

Serial No.: 09/750,590

Filed: December 28, 2000

For: "Beta-CAP73 Control of Normal and Abnormal Cell
Migration"

Attorney Docket No.: TUI-001CP

Group Art Unit: 1632

Examiner: Pappu, Sita S

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February 6, 2002

Date of Signature and of Mail Deposit

By:

Elizabeth A. Hanley, Esq.
Reg. No. 33,505
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RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the restriction requirement set forth in the Office Action dated January 15, 2002 (Paper No. 12).

The Examiner has required restriction to one of the following inventions under 35 U.S.C. §121:

- I. Claims 1-12, 20-22, drawn to an isolated nucleic acid molecule, vector and host cell, a method for detecting the presence of a nucleic acid molecule, and a kit comprising a compound which selectively hybridizes to a nucleic acid molecule, classified in class 435, subclass 320.1.

Serial No. 09/750,590

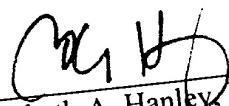
- II. Claims 13-15, 23-26, drawn to an isolated polypeptide, a method for identifying a compound which binds to a polypeptide using a test compound, classified in class 530, subclass 300+.
- III. Claims 16-19, drawn to an antibody and a kit comprising the antibody, classified in class 530, subclass 387.1+.
- IV. Claims 27-28, drawn to gene therapy for treating a disease and a pharmaceutical composition comprising a vector, classified in class 514, subclass 44.

Applicants hereby elect the Group I invention (claims 1-12, 20-22) for prosecution in this application, *without traverse*.

SUMMARY

If a telephone conversation with Applicants' Attorney would expedite the prosecution of the above-identified application, the Examiner is urged to call Applicants' Attorney at (617) 227-7400.

Respectfully submitted,
LAHIVE & COCKFIELD, LLP


Elizabeth A. Hanley, Esq.
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Date: February 6, 2002



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Re: U.S. Patent Application Serial No. 09/750,590
Title: "Beta-CAP73 Control of Normal and Abnormal Cell Migration"
Inventors: Ira Herman and Alice Welch
Filing Date: December 28, 2000
Our Reference No. TUI-001CP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Restriction Requirement (2 pages); and
2. Pre-Paid Acknowledgment Postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

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February 6, 2002	
Date	
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Respectfully submitted,

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